

FORM PTO-1390 (Modified)
(REV 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES

DESIGNATED/ELECTED OFFICE (DO/EO/US)

CONCERNING A FILING UNDER 35 U.S.C. 371

235.00310101

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

Unassigned 10/019642

INTERNATIONAL APPLICATION NO.
PCT/US00/18051INTERNATIONAL FILING DATE
30/06/2000PRIORITY DATE CLAIMED
01/07/1999

TITLE OF INVENTION

FERTILITY IMPAIRING VACCINE CONTAINING AVIAN ZONA PELLUCIDA PROTEIN AND METHOD OF USE

APPLICANT(S) FOR DO/EO/US

FAYRER-HOSKEN et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☒ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 20 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
20. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
22. ☒ Certificate of Mailing by Express Mail
23. ☒ Other items or information:

Itemized Return-Stamped postcard; Transmittal Letter (1 p.); and check in the amount of \$920.00 for filing fee.

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.53(a)(2))	INTERNATIONAL APPLICATION NO.	ATTORNEY'S DOCKET NUMBER
Unassigned 10/019842	PCT/US00/18051	235.00310101

24. The following fees are submitted.:

CALCULATIONS PTO USE ONLY

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :

- ☐ Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1040.00
- ☒ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$890.00
- ☐ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$740.00
- ☐ International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$710.00
- ☐ International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

\$890.00

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☒ 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).

\$130.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	50 - 20 =	30	x \$18.00
Independent claims	2 - 3 =	0	x \$84.00

\$540.00

\$0.00

Multiple Dependent Claims (check if applicable).

☒

\$280.00

TOTAL OF ABOVE CALCULATIONS =

\$1,840.00

☒ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.

\$920.00

SUBTOTAL =

\$920.00

Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).

+

\$0.00

TOTAL NATIONAL FEE =

\$920.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).

☐

\$0.00

TOTAL FEES ENCLOSED =

\$920.00

Amount to be: refunded

\$

charged

\$

- a. ☒ A check in the amount of 920.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 13-4895. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Victoria A. Sandberg
Muetting, Raasch & Gebhardt, P.A.
P.O. Box 581415
Minneapolis, Minnesota 55458-1415
United States of America

SIGNATURE

David L. Provence

NAME

43,022

REGISTRATION NUMBER

DATE

Applicant(s): Richard Fayrer-Hosken et al.

Docket No.: 235.00310101

Title: FERTILITY IMPAIRING VACCINE CONTAINING AVIAN ZONA PELLUCIDA PROTEIN AND
METHOD OF USE

10/019642

531 Rec'd PCT 28 DEC 2001

BOX PCTAssistant Commissioner for Patents
Washington, D.C. 20231

We are transmitting the following documents along with this Transmittal Sheet (which is submitted in triplicate):

- ☒ Transmittal Letter to the United States DO/EO/US Concerning a Filing Under 35 U.S.C. 371 (Form PTO-1390, 2 signed copies, 2 pgs each).
☐ Formal Drawings ().
☐ A signed Declaration (_ pgs).
☒ Application Data Sheet (4 pgs).
☐ A signed Election Under 37 CFR 3.71, Revocation, Power of Attorney, and Certificate Under 3.73(b)
☐ An Assignment of the invention to _ and Recordation Form Cover Sheet.
☐ A check in the amount of \$40.00 to pay the Assignment Recording Fee.
☐ A Preliminary Amendment
☐ Computer readable form of Sequence Listing, paper copy of Sequence Listing, and Communication re. Sequence Listing.
☒ Other: Copy of International Preliminary Examination Report (8 pgs.); Copy of International Search Report (8 pgs.).
☒ A check in the amount of \$920.00 to pay the filing fee.
☒ An itemized return postcard.

☒ Small Entity Status is entitled to be asserted in the above-identified application.

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 13-4895. Triplicate copies of this sheet are enclosed.

MUETING, RAASCH & GEBHARDT, P.A.

Customer Number: 26813

By: David L. Provence

Name: David L. Provence

Reg. No.: 43,022

Direct Dial: 612-305-1005

Facsimile: 612-305-1228

CERTIFICATE UNDER 37 CFR §1.10:"Express Mail" mailing label number: EL 888273405 USDate of Deposit: December 28, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, BOX PCT, Washington, D.C. 20231.

By: GARA L. LAOWIGName: GARA L. LAOWIG

(SMALL ENTITY TRANSMITTAL UNDER RULE 1.10)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Fayrer-Hosken et al. Group Art Unit: 1614
 Serial No.: 10/019,642 Examiner: Unknown
 Filed: December 28, 2001 Docket No.: 235.00310101
 Title: FERTILITY IMPAIRING VACCINE CONTAINING AVIAN ZONA PELLUCIDA
 PROTEIN AND METHOD OF USE

Assistant Commissioner for Patents
 Attn: Box PCT
 Washington, D.C. 20231

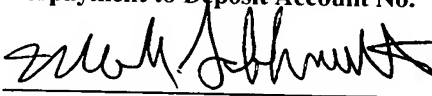
We are transmitting the following documents along with this Transmittal Sheet (which is submitted in triplicate):

- ☒ **Small entity status is entitled to be asserted in the above-identified application.**
☒ An itemized return postcard.
☐ A Petition for Extension of Time for __ month(s) and a check in the amount of \$__ for the required fee.
☒ A check in the amount of \$ 40.00, representing recordation fee.
☒ Other: Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. 371 (2 pgs.); Exhibit A (Two executed Declarations (4 pgs. each)); Executed Assignment document (2 pgs.); Assignment Recordation Form Coversheet (1pg.); Response to Notification of Missing Requirements Under 35 U.S.C. §371 (2 pgs.); copy of Notification of Missing Requirements Under 35 U.S.C. §371 in the U.S. Designated/Elected Office (DO/EO/US) (2 pgs.); Supplemental Application Data Sheet (4 pgs.); Election Under 37 C.F.R. §§3.71 and 3.73 and Power of Attorney (1 pg.); and copy executed Assignment document (2 pgs.).
 Amendment ☐ No Additional fee is required. ☐ The fee has been calculated as shown:

Fee Calculation for Claims Pending After Amendment					
	Pending Claims after Amendment (1)	Claims Paid for Earlier (2)	Number of Additional Claims (1-2)	Cost per Additional Claim	Additional Fees Required
Total Claims				x \$9 =	
Independent Claims				x \$42 =	
One or More New Multiple Dependent Claims Presented? If Yes, Add \$140 Here →					
Total Additional Claim Fees Required					

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 13-4895. Triplicate copies of this sheet are enclosed.

MUETING, RAASCH & GEBHARDT, P.A.
 Customer Number: 26813

By: 
 Name: Mark J. Gebhardt
 Reg. No.: 35,518
 Direct Dial: 612-305-1216
 Facsimile: 612-305-1228

CERTIFICATE UNDER 37 CFR §1.10:

"Express Mail" mailing label number: 6 May 2002

Date of Deposit: EL888272952US

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Attn: Box PCT, Washington, D.C. 20231.

By: 
 Name: SUE DOMBROSKE

(SMALL ENTITY TRANSMITTAL UNDER RULE 1.10)